

HOUSE BILL 400
By Shepard

AN ACT to amend Tennessee Code Annotated, Title 70,
Chapter 2, Part 2, relative to wildlife resources
license exemptions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 70-2-204(a), is amended by deleting the subsection in its entirety and by substituting instead the following language:

(a) The owners and tenants of farmlands, and their spouses and children and grandchildren, have the right to engage in the sport of hunting and fishing, subject to all the provisions of all laws or regulations concerning wildlife, upon such lands and waters on the land of which they or their spouses or parents are the bona fide owners or tenants with the permission of the landowner, during the season when it is lawful to do so, without procuring a hunting and sport fishing license. Tenants and their spouses and their dependent children and their grandchildren must be bona fide residents of the state and must actually reside on the land. Owners and their spouses and children and grandchildren must be bona fide residents of the state. Land may qualify as farmland only if it is owned by no more than one (1) individual or a family; provided, that if land is owned jointly or in common by persons who are first cousins related by blood, then such cousins and their children may hunt small game and fish on such land under the provisions of this subsection (a). "Family" means any combination of kinship within the third degree including any spouse who has an interest in the property. "Tenant" means an individual who receives compensation such as free rent or money for acting either in the place of or at the direction of the landowner in tending to the requirements needed to care for the farmland. The primary purpose of the tenancy shall be agricultural in nature.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.